

REMARKS

Prior to entry of this Amendment, original claims are pending in the Application. Herein, Applicants request entry of this Amendment in which claims 1-2, 4, 7, 9-15, 18, and 20 have been amended and no claims have been added or cancelled. Therefore, upon entry of this amendment claims 1-20 will remain pending in the Application.

In the above-mentioned Office Action, all of the pending claims 1-20, were rejected. Claims 1-4, 7, 8, and 10-19 were rejected under Section 102 as being anticipated by De Beer U.S. Patent Pub. No. 2005/0101323). Claims 1, 5, 6, 15, and 20 were also rejected under Section 102 as being anticipated by Lannen U.S. Pat No. 5,497,412). Claim 9 was rejected under Section 103 as being unpatentable over De Beer. Additionally, claim 20 was rejected under Section 112, second paragraph, because the term “the fixed network” lacks antecedent bases.

In response to the Section 112 rejection, Applicants have amended claim 20 to remove the term “the fixed network”. In view of this amendment, Applicants respectfully suggest that this ground for rejection has been overcome.

In response to the Section 102 rejections, Applicants respectfully traverse. In addition, Applicants have amended the independent claims to more clearly focus on the present invention and further distinguish the present Applicant over the cited references, taken alone, or in any combination.

Support for the amendments is found, for instance, in paragraphs [0036] – [0037], [0040], and [0046] – [0049].

Initially, Applicants respectfully point out that neither De Beer or Lannen disclose or suggest that routing information be determined, in part by reference to routing-data entries (note that the claim terminology has been altered someone in an attempt at further clarity) in one or more tables, in response to a registration request from a mobile station. It is noted that in De Beer, paragraphs [0033] and [0034], the routing table 13 is stored on a SIM card 10, which of course is in the mobile telephone 1 itself. While De Beer here makes a somewhat general statement that “routing information is exchanged between the mobile telephone 1 and the local network . . . during the call set-up procedure”, this

statement is clarified in the paragraphs [0035] – [0039] that follow. There is can be seen that in the De Beer teaching, the telephone registers with a network chosen from the routing tables stored the SIM card, which are for this purpose assumed to be correct. A procedure is then undertaken in the mobile telephone to determine whether the tables need to be updated, based on certain criteria. If so, an update request is sent from the mobile station so that the needed information may be obtained. (“The mobile telephone 1 of FIG. 1 is therefore provided with means for determining whether the currently stored information requires updating and is further capable of outputting a *request message* in order to receive an update of whatever information is determined to be required.” – De Beer, paragraph [0039], emphasis added)

This is confirmed in De Beer paragraph [0055], which states that a registration procedure is executed by the processor 21 of mobile telephone 1 is used for registration. Then “*after registration*” (emphasis added) a data maintenance program is call to determine whether it is necessary to request an update. While it is noted that elsewhere in De Beer, there may be reference updating the routing tables subsequent to a ‘request’, from the text quoted above it should be apparent that this refers to an update “*request message*” as that term is used in paragraph [0039], and not a registration request as is clarified in paragraph [0059]. Any suggestion to determine routing information in response to a registration request and transmit it to the mobile device comes only from the present Application (*see, for example*, paragraph [0002]).

In fact, Applicant note that the De Beer (post-registration) data maintenance program run in the mobile station is a main theme of that disclosure (*see, for example*, paragraph [0001]), and in fact the program makes use of information gained during the registration process to determine if an update is needed (*see, for example*, paragraph [0066]). The present invention, however, has an advantage over the De Beer system because it acts even without an explicit (update) request message from the mobile device. The mobile telephone in De Beer, for example, may fail to determine that an update is desirable because it fails to gather enough or the proper information, or simply because other factors necessitating the update are not discernable to it at this point.

Regarding Lannen, Applicants also respectfully point out that it appears to be directed towards roaming operations of a subscriber. The reference discloses a general location register that contains a database for validating and locating roammers and a database of routing information for location of home carriers, but there does not appear to be any disclosure teaching or suggesting a routing information determiner that determines routings by which to communicate data from the mobile for provision to the mobile node. Referring to col. 2, line 49 – col. 3, line 13 (and generally to cols. 11 and 12), it is simple the network registers and switches that receive location and routing information.

In addition, there does not appear to be any disclosure teaching or suggesting a routing information determiner that determines routings by which to communicate data by way of at least two networks, free of additional registration. Applicants note that while the limitation “free of additional registration” is no longer explicitly recited in the claims, it is implicit in the routings “by which to communicate data by way of any of at least two networks”. This permits seamless travel for the mobile between the (at least) two networks without the need to re-register – though whether it does or not is not material to the independent claims. Finally, regarding De Beer it is noted that the registration first, update-necessity determination second procedure might preclude this capability entirely. That is, De Beer uses information obtained during registration to inform the determine procedure; it likely will not request information relating to an (at least) second network as well. Of course the De Beer control centre may send whatever it wants to the mobile telephone; there is simply no teaching or suggestion that it as required in independent claims 1 and 15.

Because the dependent claims include all of the limitations of their respective parent claims, these claims are believed to be distinguishable over the cited references for the same reasons as those given with respect to their respective parent claims. In view of these remarks and amendment, Applicants respectfully suggest that this ground for rejection has also been overcome.

The Applicants did not earlier make certain of the proposed amendments as such amendments are made responsive to a new grounds of rejection under Section 112.

In light of the foregoing, therefore, independent claims 1 and 15, as now-amended, and the dependent claims dependent thereon are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of the claims is respectfully requested. Such early action is earnestly solicited. In the alternative, entry of the proposed amendments is requested to place the claims in better form for consideration upon appeal.

Respectfully submitted,

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